

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6649

BILL NUMBER: SB 380

NOTE PREPARED: Dec 28, 2011

BILL AMENDED:

SUBJECT: Public Employees and Prohibited Use of Computers.

FIRST AUTHOR: Sen. Yoder

BILL STATUS: As Introduced

FIRST SPONSOR:

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill prohibits state employees and employees of political subdivisions from using electronic mail addresses maintained by the state or political subdivisions if the electronic mail is advocating for a political candidate or advocating a political opinion or position. It also prohibits state employees and employees of political subdivisions from using electronic mail addresses maintained by the state or political subdivisions to search for, view, or send sexually explicit material.

Effective Date: July 1, 2012.

Explanation of State Expenditures: If the State Ethics Commission finds violations of the provisions of this bill, they may take any of the following actions under IC 4-2-6-12:

- (1) Impose a civil penalty upon a respondent not to exceed three times the value of any benefit received from the violation.
- (2) Cancel a contract.
- (3) Bar a person from entering into a contract with an agency or a state officer for a period specified by the Commission.
- (4) Order restitution or disgorgement.
- (5) Reprimand, suspend, or terminate an employee or a special state appointee.
- (6) Reprimand or recommend the impeachment of a state officer.
- (7) Bar a person from future state employment as an employee or future appointment as a special state appointee.
- (8) Revoke a license or permit issued by an agency.
- (9) Bar a person from obtaining a license or permit issued by an agency.

- (10) Revoke the registration of a person registered as a lobbyist under IC 4-2-8.
- (11) Bar a person from future lobbying activity with a state officer or agency.

Explanation of State Revenues: Civil penalties would be deposited in the state General Fund.

Explanation of Local Expenditures: See *Explanation of State Expenditures*.

Explanation of Local Revenues:

State Agencies Affected: State Ethics Commission.

Local Agencies Affected: All.

Information Sources:

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